



CANNON BUILDING  
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**STATE OF DELAWARE**  
**BOARD OF PROFESSIONAL LAND SURVEYORS**

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MEETING MINUTES:	<b>BOARD OF PROFESSIONAL LAND SURVEYORS</b>
DATE AND TIME:	<b>March 20, 2014 at 8:30 a.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
APPROVED:	<b>April 17, 2014</b>

**MEMBERS PRESENT**

James Bielicki, Jr., Professional Member, Chairman  
Franco R. Bellafante, Professional Member, Vice-Chair  
Thomas Plummer, Professional Member  
Charles Adams, Jr., Professional Member  
Rhonda West, Public Member

**DIVISION STAFF**

Kevin Maloney, Deputy Attorney General  
Amanda McAtee, Administrative Assistant II  
Gayle MacAfee, Deputy Director

**MEMBERS ABSENT**

None

**PUBLIC**

None

**CALL TO ORDER**

Mr. Bielicki called the meeting to order at 8:30 a.m.

**PUBLIC HEARING, RULES AND REGULATIONS - 8:30 A.M.**

**BOARD PRESENT:** James Bielicki, Jr., Franco R. Bellafante, Thomas Plummer, Charles Adams, Jr., Rhonda West

**PUBLIC PRESENT:** None

**PURPOSE:**

The Delaware Board of Professional Land Surveyors, in accordance with 24 Del.C. §2706(a)(1), has proposed revisions to its rules and regulations. The proposed revisions to the Rules and Regulations are intended to allow professional development hours to be obtained by online courses. The additional changes are of an administrative nature.

**PRESIDING:** James Bielicki, Jr., Professional Member, Chairman

**DIVISION STAFF:** Amanda McAtee, Administrative Specialist II, Gayle MacAfee, Deputy Director

**BOARD COUNSEL:** Kevin Maloney, Deputy Attorney General

**COURT REPORTER:** Gloria M. D'Amore, Wilcox and Fetzer

The hearing began at 8:30 a.m. Mr. Maloney stated that the purpose of the hearing was to receive public comment regarding the Board's proposed Rules and Regulations. Mr. Maloney advised that the notification of the public hearing was published in the Register of Regulations on February 1, 2014 and two newspapers on February 22, 2014. Mr. Maloney marked the News Journal affidavit of publication as Board exhibit one and the State News affidavit of publication as Board exhibit two.

Mr. Maloney confirmed that no public comment had been received by the Board office. With there being no comment, Mr. Maloney thanked the court reporter and advised the Board that the public would have an additional fifteen days after this hearing date to make comments. The Board would deliberate on any public comments received at its next Board meeting on April 16, 2014.

The hearing adjourned at 8:36 a.m.

#### **Review and Approval of Minutes**

Ms. West made a motion, seconded by Mr. Bellafante, to approve the February 20, 2014 minutes. By unanimous vote, the motion carried.

Gayle MacAfee introduced herself as the Division's new Deputy Director. Ms. MacAfee informed the Board that the Division would be forwarding their proposed bill to Legislative Hall. The Board's bill proposed to add an amendment to Title 25, Chapter 3 regarding survey requirements for conveyances and add an inactive and retired status to their statute.

#### **Unfinished Business**

##### **Continued Discussion on PDHs for deployed active duty military licensees**

Mr. Plummer stated that he knew of a licensee that was deployed to Iraq and when he returned home he struggled to complete PDHs for renewal. Mr. Plummer believed that deployed service members should be awarded one PDH for each month that they are deployed.

Mr. Maloney stated that he had recently reviewed a draft bill for another board that dealt with qualifications for licensure for active duty military. The Board could possibly use that as a framework to adopt this proposed change. Mr. Maloney stated that he would bring the draft bill to the next meeting. The Board would discuss the topic at the next meeting.

#### **Complaint Status**

##### **Open Complaints**

**05-01-13 – Forwarded to the Office of the Attorney General**

**05-02-13**

**05-03-13**

**05-01-14 – new complaint**

Mr. Bielicki stated that the Board had four open complaints.

**NEW BUSINESS**

**Courses for Continuing Education Approval – None**

**Review of Application for Licensure by Examination – None**

**Review of Application for Licensure by Reciprocity**

**Joseph Allegra**

Mr. Bellafante reviewed the reciprocity application of Joseph Allegra. After discussion, Mr. Bellafante made a motion, seconded by Mr. Plummer, to approve Joseph Allegra's reciprocity application contingent upon a passing score on the State drainage and jurisprudence exam. By unanimous vote, the motion carried.

**James McDonnell**

Mr. Bellafante reviewed the reciprocity application of James McDonnell. After discussion, Mr. Bellafante made a motion, seconded by Mr. Bielicki, to approve James McDonnell's reciprocity application contingent upon a passing score on the State drainage and jurisprudence exam. By unanimous vote, the motion carried.

**Review of Application for Surveyor Intern – None**

**Ratification of Issuance of Land Surveying Certificate of Authorization**

**FA Business Services, LLC**

**Fink, Whitten & Associates, LLC**

Mr. Bellafante made a motion, seconded by Mr. Plummer, to ratify the certificate of authorization applications for FA Business Services, LLC and Fink, Whitten & Associates, LLC. By unanimous vote, the motion carried.

Ms. McAtee stated that for future agendas she would list the surveyor in charge on the agenda.

**Review of Land Surveying Certificate of Authorization – None**

**Review of Audits – None**

**Complaint Assignments and Status – None**

**Wall Certificates – None**

**Correspondence – None**

**OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)**

Mr. Bellafante stated that a member of the public had questioned if an advertisement was deceptive if a surveyor company stated that they had professional personnel with a "100 years of experience" and that they were referring to their employees combined experience which included surveyors and engineers. Mr. Bellafante stated that he personally did not have a problem with the statement but would bring the topic to the Board. Mr. Maloney stated that it would depend on the wording of the advertisement since the Board's code of ethics outlined advertising guidelines. The Board felt that the advertisement was not deceptive.

**PUBLIC COMMENT**

None

**NEXT MEETING**

The next meeting of the Board is April 17, 2014 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**ADJOURNMENT**

There being no further business before the Board, Mr. Bellafante made a motion, seconded by Mr. Adams, to adjourn the meeting at 9:41 a.m. By unanimous vote, the motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', written in a cursive style.

Amanda McAtee  
Administrative Specialist II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*